

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAFECO INSURANCE COMPANY OF )  
AMERICA, )  
Plaintiff(s), )  
v. )  
SUNBEAM CORPORATION, and )  
DOES 1-25, )  
Defendant(s). )  
\_\_\_\_\_)

No. C05-1974 BZ

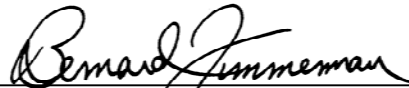
**ORDER GRANTING LEAVE TO FILE  
SECOND AMENDED COMPLAINT**

On February 17, 2006, plaintiff filed a motion for leave to file a second amended complaint. Defendant Sunbeam has not filed an opposition, and there is no evidence of frivolity, bad faith or prejudice to the other parties sufficient to overcome the strong policy in favor of granting leave to amend pleadings. See Fed. R. Civ. P. 15(a); Eminence Capital, LLC v. Aspeon, 316 F.3d 1048, 1051 (9th Cir. 2003).

**IT IS THEREFORE ORDERED** that plaintiff's motion for leave to file the second amended complaint attached as exhibit A to its motion is **GRANTED**. Plaintiff shall serve the complaint on any additional defendants by **May 1, 2006**. A status conference

1 is scheduled for **June 12, 2006**. The parties shall file a joint  
2 status report by **June 5, 2006**. The hearing on plaintiff's  
3 motion for leave to file a second amended complaint presently  
4 scheduled for April 5, 2006, is **VACATED**.

5 Dated: April 5, 2006

6 

7 Bernard Zimmerman  
8 United States Magistrate Judge

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